

PROPOSED USE OF THE PLENARY POWERS TO SUPPRESS FOUR GENERIC NAMES FOR BIRDS PUBLISHED BY BRISSON IN 1760 WHICH HAVE LONG BEEN OVERLOOKED AND WHICH INVALIDATE AS HOMONYMS FOUR NAMES PLACED ON THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY" (CORRECTION OF ERRONEOUS ENTRIES IN "OPINION" 67)

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

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The purpose of the present application is to ask the International Commission on Zoological Nomenclature to use its plenary powers to validate four generic names placed on the *Official List of Generic Names in Zoology* by the Commission's *Opinion* 67 (1916, *Smithson. Publ.* **2409** : 177-182), each of which it is now seen is an invalid junior homonym of a generic name consisting of the same word published by M. J. Brisson in 1760 in his *Ornithologie* but since then completely overlooked.

2. The position in regard to this matter is as follows: (1) Brisson was a non-binominal author of what was formerly called the "binary" school, that is, he recognised that the scientific name of an animal must be designed to denote two concepts, namely that represented by the species to which the name was applied and that represented by the next higher group (i.e. the genus) in which that species was placed, and that the generic concept must be denoted by a noun substantive in the nominative singular placed at the beginning of the name, but who did not consider it necessary that the species concept should also be denoted by a single word, regarding it as equally appropriate that this concept should be denoted by a phrase consisting of two or more Latin words. (2) In 1911, at a time when the International Commission considered that generic names published by authors who applied a "binary," though non-binominal system of nomenclature satisfied the requirements of Article 25 of the *Règles*, the Commission published an *Opinion*, *Opinion* 37 (1911, *Smithson. Publ.* **2013** : 87-88), in which it ruled that the generic names in Brisson's *Ornithologie* satisfied the requirements of the Rules. (3) In 1948 (1950, *Bull. zool. Nomencl.* **4** : 65) the International Congress of Zoology substituted the word "binominal" for the word "binary" in Article 25, thereby making it clear that names published by non-binominal "binary" authors possessed no availability in nomenclature. (4) The foregoing decision would have destroyed the availability of all the generic names in Brisson's *Ornithologie*, if it had not been decided to accompany it with a further provision expressly preserving the status previously accorded to those names under its *Opinion* 37 of 1911 (1950, *ibid.* **4** : 65, Point (3) (a) (iv)). It will be seen from the foregoing particulars that, other things being equal, every new generic name in Brisson's *Ornithologie* of 1760 is an available name.

3. The recent discovery that Brisson had published a generic name *Gavia* in the *Ornithologie* (see application Z.N.(S.)78, relating to the name *Colymbus*

Linnaeus, 1758*) which had been completely overlooked in all zoological Nomenclators led me to think that it was desirable to make a thorough examination of Brisson's *Ornithologie*, in order to make sure that none of the generic names for birds which had been placed on the *Official List of Generic Names in Zoology* was preoccupied by generic names consisting of identical words published in 1760 in Brisson's *Ornithologie* but since overlooked. I have accordingly examined the *Ornithologie* from this point of view, as the result of which it now appears that six generic names now on the *Official List* are invalid (because junior) homonyms of names published by Brisson in 1760. Of the names so found to be invalid, the following five were placed on the *Official List* in *Opinion* 67: (1) *Bubo* Duméril, 1806; (2) *Coturnix* Bonnaterre, 1790; (3) *Egretta* Forster, 1817; (4) *Gallinago* Koch, 1816; (5) *Oriolus* Linnaeus, 1766. The sixth name on the *Official List* now found to be preoccupied by an identical Brisson name is *Grus* Pallas, 1767, which was placed on the *Official List* by *Opinion* 103 (*Smithson. misc. Coll.* **73** (No. 5) : 21-24). Special problems arise in connection with two of these names, namely *Gallinago* Koch and *Grus* Pallas. The first of these cases is dealt with in Application Z.N.(S.) 575 (see pp. 93-95 of the present volume); the second in Application Z.N.(S.) 558, which is at present still under discussion with specialists but which will be published as soon as possible. The present application is accordingly concerned only with the position of the names *Bubo* Duméril, *Coturnix* Bonnaterre, *Egretta* Forster, and *Oriolus* Linnaeus.

4. The decision to validate the names in Brisson's *Ornithologie* was taken with the sole purpose of promoting stability in ornithological nomenclature and it would certainly not have been taken in the form then adopted if it had been made clear to the Commission by ornithologists that certain only of the new generic names published by Brisson in 1760 were in general use and required protection, while others had long been ignored and, if validated, would cause disturbance and confusion rather than contribute to uniformity and stability. Now that the actual position has been brought to light, it seems to me that the most reasonable course would be for the Commission so to use its plenary powers as to secure its original intention. In other words, the most appropriate course seems to be to suppress those of the Brisson names which were—as it were, inadvertently—validated when the ruling of 1911 (in *Opinion* 37) was confirmed by the Commission in 1948 in those cases where the names, so validated, would, it is now seen, merely lead to confusion and objectionable name-changing. The number of new names which will need to be examined for this purpose is large, and in view of the consultations with specialists which will need to be undertaken, the investigation involved will necessarily occupy a considerable time. It is for this reason that the four names dealt with in the present application have been picked out for advance consideration, since, until decisions have been taken in regard to these names, the publication of the *Official List of Generic Names in Zoology* in book form will inevitably be held up.

5. I have consulted Colonel Richard Meinertzhagen, Chairman of the Standing Committee on Ornithological Nomenclature appointed in 1950 by the International Ornithological Congress (see pp. 4-5 of the present volume),

*See page 11 of the present volume.

and he has sent me the following reply (*in litt.*, dated 10th September 1952): "Many of the generic names published by Brisson in 1760 in his *Ornithologie* are household words and it was therefore of the utmost importance that the Commission should provide a valid basis for these names. The action taken by the Commission in this sense in 1948 was therefore of the greatest value. In addition, however, to these names, there are many other new generic names in the *Ornithologie* which have been completely overlooked and which, if now resurrected, would lead to confusion and name-changing, without providing any compensating advantage. This risk will remain until all the new names in the *Ornithologie* have been carefully examined and those names which are in general use finally stabilised by being put on the *Official List*, all the other names concerned being at the same time suppressed. This task, which will be a big piece of work and will involve extensive consultations, will inevitably take a considerable time even in the most favourable circumstances. Pending the completion of this survey, all that the Commission can do is to take such action in individual cases as may be found to be necessary, for example, to suppress the name *Gavia* Brisson, as proposed in the application regarding the name *Colymbus* Linnaeus submitted by the Standing Committee on Ornithological Nomenclature. In the case of the four names (*Bubo*, *Coturnix*, *Egretta* and *Oriolus*) placed on the *Official List* by *Opinion* 67 but now found to be invalid, I consider that is important that the position should be cleared up as quickly as possible by the suppression by the Commission of the four corresponding Brisson names which, though not in current use, technically invalidate these well-known generic names."

6. In the circumstances and in view of the advice received from Colonel Meinertzhagen, I now recommend that the Commission should validate the existing entries in the *Official List* by suppressing the Brisson names which invalidate the four names in question. It would be convenient if at the same time the Commission were to place on the *Official Index of Rejected and Invalid Generic Names* one still earlier name consisting of the same word published in 1758 in Nozeman and Vosmaer's *Geslachten der Vogelen* (a Dutch translation of the work by Moehring entitled *Avium Genera* published—before the starting point of zoological nomenclature—in 1752), a work which the Commission has already ruled is unavailable for nomenclatorial purposes (see 1950, *Bull. zool. Nomencl.* 4 : 566-568).

7. The specific action which the International Commission on Zoological Nomenclature is now asked to take is therefore that it should :—

- (1) use its plenary powers to suppress the under-mentioned generic names for the purposes both of the Law of Priority and of the Law of Homonymy :—

(a) *Bubo* Brisson, 1760, *Ornithologie* 1 : 477-486 ;

(b) *Coturnix* Brisson, 1760, *ibid.* 1 : 247-261 ;

(c) *Egretta* Brisson, 1760, *ibid.* 5 : 431-433 ;

(d) *Oriolus* Brisson, 1760, *ibid.* 2 : 320-333 ;

(2) confirm in their position on the *Official List of Generic Names in Zoology* the following names placed thereon by *Opinion 67* :—

- (a) *Bubo* Duméril, 1806 ;
- (b) *Coturnix* Bonnaterre, 1790 ;
- (c) *Egretta* Forster, 1817 ;
- (d) *Oriolus* Linnaeus, 1766 ;

(3) place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—

- (a) the four generic names specified in (1) above, as there proposed to be suppressed under the plenary powers ;
- (b) *Bubo* Rambur, 1842 (Roret's *Suite à Buffon*), *Nevropteres* : 353 ;
- (c) *Coturnix* Nozeman & Vosmaer, 1858, *Geslacht. Vogel.* (Dutch trans. of Moehring, 1758, *Avium Genera*) **3** : 39 (a work which has already been ruled unavailable for nomenclatorial purposes).